

# BAY COUNTY BOARD OF COMMISSIONERS

## A G E N D A

TUESDAY, DECEMBER 13, 2016

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

- I CALL TO ORDER (CHAIRMAN KRYGIER)**
- II ROLL CALL**
- III INVOCATION**
- IV PLEDGE OF ALLEGIANCE**
- 52-78 **V MINUTES (11/1/16; 11/15/16)**
- VI CITIZEN INPUT**
- VII PETITIONS AND COMMUNICATIONS**
  - A. Applications for Appointment to Bay-Arenac Behavioral Health Authority Board of Directors **(Receive and appoint)**
    - 1-2 1. John T. Andrus
    - 3-4 2. George Zanotti
    - 5-6 3. Marlene Kay Mehlhose
  - 7 B. Bay Arenac Behavioral Health Authority - BABHA Applicant Review for Compliance **(Receive)**
  - C. Applications for Re-appointment to the Division on Aging Advisory Committee representing the following Commission Districts: **(Receive and appoint)**
    - 8 1. District 2 - Kathleen Sutter
    - 9 2. District 4 - Michael Olk
    - 10-12 3. District 6 - Gena Gates

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4. At-Large - Robert Anderson

## **VIII REPORTS/RESOLUTIONS OF COMMITTEES**

### **A. WAYS AND MEANS (KIM J. COONAN, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

- 14 1. No. 2016-293 - Medical Marihuana Oversight Grant (Sheriff Dept.)
- 15 2. No. 2016-294 - RFP for Marine Patrol Boat - Port Security Grant Program (Sheriff & Emergency Management)
- 16 3. No. 2016-295 - FY2017 Federal Visitation and Access Grant (Friend of the Court)
- 17 4. No. 2016-296 - Renewal of Property and Liability Insurance with MMRMA (Administrative Services)
- 18 5. No. 2016-297 - RFP for Golf Carts for Purchase in 2017 (Recreation and Facilities)
- 19 6. No. 2016-298 - Birthday Party User Fees at Civic Arena (Recreation and Facilities)
- 20 7. No. 2016-299 - Senior Dining Center Agreements (Division on Aging)
- 21 8. No. 2016-300 - Scrap Tire Clean-up Grant (Mosquito Control)
- 22 9. No. 2016-301 - Network Server and Storage Agreement w/Avalon Technologies (9-1-1 Central Dispatch)
- 23 10. No. 2016-302 - Legal/Contract Coordinator Position (County Executive)
- 24 11. No. 2016-303 - Affiliation Agreements (Personnel)
- 25 12. No. 2016-304 - Bay County Wellness Center - Extension of Agreement (Personnel)
- 26 13. No. 2016-305 - Blue Cross Blue Shield of Michigan - Schedule A - 2017 Renewal Term Administrative Services Contract (Personnel)
- 27 14. No. 2016-306 - Excess Workers' Compensation Policy (2017-2019) (Personnel)
- 28 15. No. 2016-307 - Leave of Absence for Katherine Barcia (Personnel)
- 29 16. No. 2016-308 - Ratification of Collective Bargaining Agreements (Personnel)
- 30 17. No. 2016-309 - Payables: General; BAYANET; Center Ridge Arms

- 31-32 18. No. 2016-310 - Budget Adjustments (Various)
- 33 19. No. 2016-311 - Golf Course Short Term Transfer (Finance)
- 34 20. No. 2016-312 - 2017 Budgeted Hardware and Software Maintenance Agreements (ISD)
- 35 21. No. 2016-313 - Agreement for Extension Services (MSU Extension)

**B. PERSONNEL/HUMAN SERVICES (MICHAEL E. LUTZ, CHAIR; DONALD J. TILLEY, VICE CHAIR)**

- 36 1. No. 2016-314 - Vacancies: Division on Aging; Public Defender; Housing Department (Personnel)
- 37 2. No. 2016-315 - Independent Contractor Agreement with Arthur Schupback (Administrative Services)
- 38-45 3. No. 2016-316 - 5 County Interlocal Agreement (Michigan Works!)

**C. BOARD OF COMMISSIONERS (ERNIE KRYGIER, CHAIR, DONALD J. TILLEY, VICE CHAIR)**

- 46-48 1. No. 2016-317 - Reports of County Executive
- 49 2. No. 2016-318 - Reappointment of Richard Gromaski to MSHN-SUD Regional Oversight Policy Advisory Board

**IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS**

**A. County Executive**

- 50-51 1. Appointment to Workforce Development Board (**Res. No. 2016-319**)

**X UNFINISHED BUSINESS**

**XI NEW BUSINESS**

**XII MISCELLANEOUS**

**XIII ANNOUNCEMENTS**

A. **The Board of Commissioners will meet on Tuesday, December 20, 2016 @ 4:30 p.m. or immediately following the Personnel/Human Services Committee meeting. The 2017 Bay County Budget will be included on the agenda.**

B. **2016 Appointments:**

I. **DECEMBER:**

a. **Bay County Building Authority (One unexpired 6 year term (Chris Hennessy); term expires 11/30/2019)**

b. **Division on Aging Advisory Committee (Four 2 year terms; districts 2, 4, 6 and at-large)**

c. **Bay Arenac Behavioral Health Authority Board of Directors (One unexpired term 3 year term, term expires 3/31/18)**

#### **XIV CLOSED SESSION (If requested)**

A. **Corporation Counsel - Pending Litigation**

**Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.**

#### **XV RECESS/ADJOURNMENT**

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: DECEMBER 13 2016

MOTION/ INTRODUCED/  
RES. NO. SUBMITTED BY SUBJECT OF RESOLUTION/MOTION ADOPTED AMENDED CORRECTED DEFEATED REFERRED TABLED WITHDRAWN

2016-293	Coonan	Medical Marihuana Oversight Grant (Sheriff Dept.)	XX						
2016-294	Coonan	RFP for Marine Patrol Boat - Port Security Grant Program (Sheriff & Emer Man.)	XX						
2016-295	Coonan	FY2017 Federal Visitation and Access Grant (Friend of the Court)	XX						
2016-296	Coonan	Renewal of Property and Liability Ins. With MMRMA (Administrative Serv.)	XX						
2016-297	Coonan	RFP for Golf Carts for Purchase in 2017 (Recreation and Facilities)	XX						
2016-298	Coonan	Birthday Party User Fees at Civic Arena (Recreation and Facilities)	XX						
2016-299	Coonan	Senior Dining Center Agreements (Division on Aging)	XX						
2016-300	Coonan	Scrap Tire Clean-up Grant (Mosquito Control)	XX						
2016-301	Coonan	Network Server and Storage Agreement w/Avalon Technologies (911 Central Dis)	XX						
2016-302	Coonan	Legal/Contract Coordinator Position (County Executive)	XX						
2016-303	Coonan	Affiliation Agreements (Personnel)	XX						
2016-304	Coonan	Bay County Wellness Center - Extension of Agreement (Personnel)	XX						
2016-305	Coonan	BCBS of Michigan - Schedule A - 2017 Renew Term Admin. Serv. Contract (Personnel)	XX						
2016-306	Coonan	Excess Workers' Compensation Policy (2017-2019) (Personnel)	XX						
2016-307	Coonan	Leave of Absence for Katherine Barcia (Personnel)	XX						
2016-308	Coonan	Ratification of Collective Bargaining Agreements (Personnel)	XX						
2016-309	Coonan	Payables: General; BAYANET: Center Ridge Arms	XX						
2016-310	Coonan	Budget Adjustments (Various)	XX						

ACTION TAKEN BY BAY COUNTY BOARD OF COMMISSIONERS

DATE OF BOARD MEETING: DECEMBER 13, 2016

MOTION/ RES. NO.	INTRODUCED/ SUBMITTED BY	SUBJECT OF RESOLUTION/MOTION	ADOPTED	AMENDED	CORRECTED	DEFEATED	REFERRED	TABLED	WITHDRAWN
2016-311	Coonan	Golf Course Short Term Transfer (Finance)	XX						
2016-312	Coonan	2017 Budgeted Hardware and Software Maintenance Agreements (ISD)	XX						
2016-313	Coonan	Agreement for Extension Services (MSU Extension)	XX						
2016-314	Lutz	Vacancies: Davision on Aging; Public Defender; Housing Department (Personnel)	XX						
2016-315	Lutz	Independent Contractor Agreement with Arthur Schupbak (Admin. Services)	XX						
2016-316	Lutz	5 County Interlocal Agreement (Michigan Works!)	XX						
2016-317	Tilley	Reports of County Executive	XX						
2016-318	Tilley	Reappoint. Richard Gromaski to MSNN-SUD Reg. Oversight Policy Advisory Board	XX						
2016-319	Tilley	County Executive - WDB- Carrie Proowski Appointment	XX						
Motion									
2016-124	Duranczyk	Approve the Regular and Special Board Session Minutes	XX						
2016-125	Coonan	Appointment Bay-Arenac Behavioral Health Board	XX						
2016-126	Tilley	Letter Submitted to Board that Three Applicants met Criteria to Hold Office	XX						
2016-127	Tilley	Vote and Appointment of John T. Andrus to Bay-Arenac Behavioral Health Board	XX						
2016-128	Herek	Receive the Applications for Appointment to Division on Aging Advisory Comm.	XX						
2016-129	Coonan	Appoint Chad Lutz to Bay County Building Authority	XX						
2016-130	Coonan	Closed Session	XX						
2016-131	Coonan	To Go Back To Regular Session	XX						
2016-132	Duranczyk	Adjourn the Regular Board Session	XX						

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

**BY:** WAYS AND MEANS COMMITTEE (12/6/16)  
**WHEREAS,** The Bay County Sheriff's Office has been invited to apply in the allotment of funds for the Medical Marihuana Oversight Grants; and  
**WHEREAS,** The Public Act 268 of 2016 section 902 requires the department of Licensing and Regulatory Affairs to expend funds appropriated by the legislature for medical marihuana operation and oversight grants to county law enforcement agencies; and  
**WHEREAS,** The grant money is distributed proportionately based on the number of registry identification cards issued to or renewed for the residents of each county whose county law enforcement office applies for a grant; and  
**WHEREAS,** The funding available is \$3,000,000 and the funds per county is based on the number of MMMP Registry Cards issued (New/Renewal) pursuant PA 268 of 2016 (Section 902); the application submission deadline is January 1, 2017; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners approves and authorizes the Bay County Sheriff Department to make application for the Medical Marihuana Oversight Grant; Be It Further  
**RESOLVED** That the Chairman of the Board is authorized to execute, and submit electronically (if required), the grant application documents on behalf of Bay County following legal review/approval; Be It Further  
**RESOLVED** That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant; Be It Further  
**RESOLVED** That it is clearly understood that if these grant funds are terminated, any position(s) funded by this grant shall be terminated and will be not absorbed by the County.

**KIM COONAN, CHAIR  
 AND COMMITTEE**

Sheriff - Medical Marihuana Oversight Grant

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED     

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**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS, Bay County has been awarded the full grant request from the Port Security Grant Program in the amount of \$250,000 (ref. Board Resolution 2015-67 see attached), and has executed the grant (ref. Board Resolution 2015-219 see attached.); and**

**WHEREAS, The PSGP grant has a 25% match associated with it. The estimated cost of the vessel is \$250,000. 75% of that, \$187,500, will be covered by the grant. 25% or \$62,500 will need to be covered by Bay County. Most of the \$62,500 will be covered as follows:**

Existing Sonar:	\$20,000
Existing Radio equip.:	\$7,500
Sale of old boat:	\$5,000
M&A (5%):	\$12,500
Total In-kind:	\$45,000

This will leave \$17,500 currently to be covered directly by Bay County.

**RESOLVED That the Bay County Board of Commissioners approves development of an RFT for the purchase of a Marine Patrol Boat, the cost of said boat not to exceed \$250,000.**

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Emergency Management - Marine Patrol Boat**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_ NAYS \_\_\_ EXCUSED \_\_\_

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_ WITHDRAWN \_\_\_

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/6/16)

WHEREAS, The State Court Administrative Office (SCAO) is the administrative agency of the Michigan Supreme Court and is responsible for administering the Federal Access and Visitation Grants to courts for the provision of direct services that increase non-custodial parents' access to and visitation with their children; and

WHEREAS, SCAO is contracting with the Bay County Friend of the Court for the provision of direct services that support and facilitate non-custodial parents' access to and visitation with their children. The direct Service Provider Agency for the Bay County Friend of the Court is Wellspring Lutheran Services. Wellspring Lutheran Services will provide supervised parenting time based on Court Order referrals from the Friend of the Court office. Supervised (including monitored and therapeutic) parenting time is eligible for reimbursement under this Agreement; and

WHEREAS, The total Access and Visitation funding available FY2017, to the Bay County Friend of the Court, is \$1,200.00 In FY2016, the allocation was \$2,000, which demonstrates a decrease in the FY2017 of \$800. The number is based upon the available budget by the State of Michigan; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners approves the FY 2017 Federal Visitation and Access Grant for the Bay County Friend of the Court and authorizes the Chairman of the Board to execute the contract and all related documents following legal review/approval.

KIM COONAN, CHAIR

AND COMMITTEE

Friend of the Court - FY2017 Visitation and Access Grant

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E			COMMISSIONER	Y	N	E			COMMISSIONER	N	E		
MICHAEL J. DURANCZYK			X			KIM J. COONAN			X			MICHAEL E. LUTZ		X		
ERNIE KRYGIER			X			THOMAS M. HEREK			X							
VAUGHN J. BEGICK			X			DONALD J. TILLEY			X							

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (12/6/16)**
- WHEREAS,** Property and liability insurance coverage and risk management services have been provided through Bay County's membership in the Michigan Municipal Risk Management Authority (MMRMA) for the past several years; and
- WHEREAS,** Bay County administration and other departments in Bay County government have been very satisfied with the coverage, value and services provided by MMRMA; and
- WHEREAS,** Providing coverage to the Drain Commissioner at the time of his pending renewal with a private carrier resulted in considerable savings to his office; and
- WHEREAS** Bay County has been the recipient of many beneficial grants through the Risk Avoidance Program (RAP) Grant program sponsored by MMRMA and, in the past ten years, has received \$54,638 in RAP grant funding. This funding is only available to current members. A recent award for the Jail in the amount of \$4,000 will be paid upon receipt of the final billing; and
- WHEREAS,** MMRMA has recently provided a very thorough updated appraisal on all Bay County properties at no charge to the County; and
- WHEREAS** With renewal for 2017, MMRMA will award Bay County a Net Asset Distribution of \$166,712. This award is based on investment income, member longevity and loss history; and
- WHEREAS,** Renewal exposure application materials have been completed by Administrative Services and submitted to MMRMA for evaluation and computation of Bay County's premium for 2017; and
- WHEREAS,** Other than increases in both public officials' liability and law enforcement areas, Bay County's claim and overall loss history and proactive risk management measures have kept the 2017 increase relatively low and the figure for 2017 reflects an approximate 3% increase from 2016 for a total of \$538,739 which includes the County's requested contribution to our loss fund deposit of \$50,000; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners renewal of the property and liability insurance for the period 1/1/2017 through 12/31/2017 with Michigan Municipal Risk Management Authority; Be It Further
- RESOLVED** That the Chairman of the Board is authorized execute the Coverage Document following legal review/approval.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Admin Serv - MMRMA 2017 Renewal**  
MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: **WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS,** The Bay County Golf Course operates carts purchased in 1998, 2000, 2002 and the newest carts which were purchased in 2006 and the fleet is in dire need of recapitalization; and

**WHEREAS,** An estimated 90% or more of our golfers choose to rent a cart for each round of golf; and

**WHEREAS,** Many of the carts in our current fleet have required replacement parts, such as chokes, clutches, etc. and many will require work before opening day; and

**WHEREAS,** In an effort to start to replace the carts based on a 5 year plan, County Administration wishes to issue an RFP for twenty (20) new Yamaha golf carts (the County will be either selling or trading-in 20 of our oldest carts, whichever would produce the best outcome); and

**WHEREAS,** The funds for this project are requested in the 2017 budget and, if needed, a loan from the General Fund may be necessary. This project will be contingent upon final approval of the 2017 budget with funds included for the golf carts; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the release of an RFP for the purchase of 20 new Yamaha Golf Carts in 2017 and the award of the bid to the most appropriate qualified bidder pursuant to the County's Purchasing Policy, contingent on funds being approved in the 2017 budget; Be It Further

**RESOLVED** That the Chairman of the Board is authorized to execute documents related to the purchase of the golf carts on behalf of Bay County following legal review/approval; Be It Finally

**RESOLVED** That related, required budget adjustments are approved.

**KIM COONAN, CHAIR  
AND COMMITTEE**

Recreation & Facilities - RFP&Purchase of Golf Carts

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY:** WAYS AND MEANS COMMITTEE (12/6/16)  
**WHEREAS,** The Bay County Civic Arena offers birthday parties that have been popular with its customers and Administration wishes to simplify the parties pricing from a per person cost to a package cost; and  
**WHEREAS,** Birthday Party Package 1 would include the Community Room for 3 hours, 10 public skating admissions, 10 skate rentals, 2 pizzas, cake, and 3 pitchers of pop with refills; and  
**WHEREAS,** Birthday Party Package 2 would include the Community Room for 3 hours, 20 public skating admissions, 20 skate rentals, 4 pizzas, cake, and 3 pitchers of pop with refills; and  
**WHEREAS** Most of the time the parties do not exceed 20 children, but if that ever takes place, we would like to charge \$10.00 for every person above 20 people and adjust accordingly for pizza and rentals; and  
**WHEREAS,** It is recommended that the fee schedule be changed, effective February 1, 2017, to the following and that the old birthday party rates be removed from the fee schedule:

1. Birthday Party Package 1: \$125.00
2. Birthday Party Package 2: \$200.00
3. Per person fee for larger than a 20 person party: \$10.00 per person.

**RESOLVED** By the Bay County Board of Commissioners that the Birthday Party fee schedule for the Bay County Civic Arena, as outlined above, be approved effective February 1, 2017 and that the changes be reflected in the County's Fee Schedule.

**KIM COONAN, CHAIR  
 AND COMMITTEE**

**Rec & Facilities - Birthday Party Fee Schedule for Civic Arena**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE 12/6/16)**

**WHEREAS,** The Bay County Board of Commissioners wishes to continue to provide nutrition services to the senior citizen population of Bay County; and

**WHEREAS,** Currently there are Dining Center Site Agreements for the Hampton Township Happy Hearts Dining Center, Kawkawlin Township Hall, and Williams Township Hall; and

**WHEREAS,** The contracts will cover the period of January 1, 2017 through December 31, 2017; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the Dining Center Site Agreements for the Hampton Township Happy Hearts Senior Dining Center, Kawkawlin Township Hall, and Williams Township Hall, subject to continued receipt of the budgeted grant funding from Region VII Area Agency on Aging; Be It further

**RESOLVED** That the Chairman of the Board is authorized to execute the Dining Center Site Agreements and all related documents on behalf of Bay County following legal review/approval; Be It Further

**RESOLVED** That related budget adjustments, if required, are approved.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**DOA - 2017 Dining Center Site Agts - Hampton, Kawkawlin & Williams Twps.**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY:** WAYS AND MEANS COMMITTEE (12/6/16)

**WHEREAS,** The Michigan Department of Environmental Quality (DEQ) is accepting applications for scrap tire cleanup grants for fiscal year 2016-2017; and

**WHEREAS,** An entity is eligible for a one-time grant of up to \$4,000 for a cleanup day or resident drop-off day, like the scrap tires drives held Bay County Mosquito Control; and

**WHEREAS,** Bay County Mosquito Control plans to hold two scrap tire drives in 2017 and could be eligible for \$8,000; and

**WHEREAS,** The scrap tire recycling program allows residents to get rid of old tires which reduces the number of tires as potential breeding grounds for mosquitoes as well as aesthetically improving the landscape; and

**WHEREAS,** There is no match requirement and no funding is required to apply for the grant; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners authorizes the Bay County Mosquito Control Department to make application for the DEQ's Scrap Tire Cleanup Grant Program for fiscal year 2016-2017; Be It Further

**RESOLVED** That the Chairman of the Board is authorized to execute said grant application and related documents as well as grant award documents on behalf of Bay County following legal review/approval; Be It Further

**RESOLVED** That the grant applicant/recipient departments are required to work simultaneously with the Finance Department whose staff will provide financial oversight of said grant.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Mosquito Control - Scrap Tire Cleanup Grant Program**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

**BY:** WAYS AND MEANS COMMITTEE (12/6/16)  
**WHEREAS,** Avalon Technologies has been selected as the vendor to install Bay County 9-1-1 Central Dispatch network servers and storage; and  
**WHEREAS,** The current 9-1-1 network is six years old and requires an upgrade to both storage and server hardware; and  
**WHEREAS,** 9-1-1, ISD and Purchasing developed an RFP outlining the 9-1-1 network requirements, an RFP was released and subsequent submissions were reviewed and a vendor selection was made; and  
**WHEREAS,** Bay County 9-1-1 has 2016 funds budgeted for purchase and installation of the needed hardware, software and warranty/support and the projected cost is \$165,781; and  
**WHEREAS,** It is requested that the County enter into an agreement with Avalon Technologies for the purchase, installation of Dell Compellent hardware, Dell Compellent software and 5 year Dell Compellent Co-Pilot warranty/support; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners approves the Avalon agreement and authorizes the Chairman of the Board to execute the agreement and all related documents; Be It Further  
**RESOLVED** That any budget adjustments that are required for the purchase and installation of the hardware, software and warranty/support are approved.

**KIM COONAN, CHAIR  
 AND COMMITTEE**

**9-1-1 Central Dispatch - Avalon Technologies Agreement**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

- BY:** WAYS AND MEANS COMMITTEE (12/6/16)
- WHEREAS,** Department of Corporation Counsel historically had a full time "Legal Services Coordinator" until that the position was merged with that of Administrative Services Manager; and
- WHEREAS,** Upon appointment of the Administrative Services Department Director, the position was further reduced and merged with that of the Executive Assistant to the County Executive; and
- WHEREAS,** An increase in the amount of FOIAs received by the County, as well as the extensive new requirements of the amended FOIA, as well as desperately needed contract management/coordination across various county departments to ensure contract renewal and compliance on a timely basis necessitates a reorganization and addition of duties to create a new shared position within the Department of Corporation Counsel and Administrative Services Department; and
- WHEREAS,** This is a full time position with benefits as provided for within the BCAMPS labor agreement (although union membership is voluntary) PB04 (\$38,584.00). Slightly less than 50% percent of this position is already budgeted in the 2017 budget. 80% of the cost of this position will be allocated to Corporation Counsel and 20% to Administrative Services. Additional general funds will be required to fund approximately half of the cost of this Legal/Contract Coordinator position; and
- WHEREAS,** This reorganization leaves vacant a part time County Executive's administrative support position to be posted and filled in the future; Therefore, Be It
- RESOLVED** That the Bay County Board of Commissioners approves the new Legal Services/Contract Coordinator position and authorizes posting/advertising and filling said position; Be It Further
- RESOLVED** That the additional funding required for the Legal Services/Contract Coordinator position are appropriated from Fund Balance; Be It Finally
- RESOLVED** That related, required budget adjustments are approved.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**County Exec - Legal/Contract Coordinator Position**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_ NAYS \_\_\_ EXCUSED \_\_\_

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_ WITHDRAWN \_\_\_  
AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_



**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS,** On occasion, Bay County enters into affiliation agreements with local schools and colleges to provide an atmosphere of learning for a student intern or volunteer; and

**WHEREAS,** The internships are unpaid and for a designated amount of time; and

**WHEREAS,** Affiliation agreements require a signature on behalf of Bay County and, since this is an unpaid, non-financial agreement that does not have budgetary impact, upon recommendation of Corporation Counsel, the Personnel Director is requesting approval from the Board to allow the Personnel Director to sign these agreements, as required; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners authorizes the Bay County Personnel Director to execute Affiliation Agreements (unpaid, non-financial) with various schools and/or colleges, as long as there is no financial impact to Bay County.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Personnel - Affiliation Agreements**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_ NAYS \_\_\_ EXCUSED \_\_\_

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_ WITHDRAWN \_\_\_

AMENDED \_\_\_ CORRECTED \_\_\_ REFERRED \_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS,** In January of 2014, Bay County entered into an agreement with Total Family Healthcare to provide office visits and generic medication at no cost to the employees; and

**WHEREAS,** Since that time, there have been over 4400 visits to the Wellness Center saving over \$105,000 in out of pocket employee co-payments; and

**WHEREAS,** The minimum number of contracts required to pay for in 2016 was 250 per month (at \$42.25 each), the contract extension was renegotiated based on estimated contract visits to 150 per month (at \$42.25 each). This change will equal a savings per year of \$50,700 over the 2016 Wellness Center minimum costs; and

**WHEREAS,** Funds are paid out of the Health Care Fund and are included in the proposed 2017 budget; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the three (3) year contract extension with Total Family Healthcare covering the Bay County Wellness Center and authorizes the Chairman of the Board to execute the contract extension and all related documents on behalf of Bay County following legal review/approval.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Personnel - Extension of Agreement with Total Family Healthcare - Wellness Program**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

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BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/6/16)  
 WHEREAS, Blue Cross Blue Shield of Michigan (BCBSM) is the Third Party Administrator for the Bay County Self Insured Health Plan; and  
 WHEREAS, The County's current stop loss coverage is \$175,000 however, due to several favorable claims years and a healthy fund, Brown & Brown (the County's consultants) has recommended the County increase the stop loss to \$190,000 to save additional administrative costs; and  
 WHEREAS, Funds are budgeted in the 2017 budget and no additional funds are necessary; Therefore, Be It  
 RESOLVED That the Bay County Board of Commissioners approves the Schedule A-Renewal Term (Effective January 2017 through December 2017) Administrative Services Contract with Blue Cross Blue Shield of Michigan and authorizes the Chairman of the Board to execute said Contract on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR  
 AND COMMITTEE

Personnel - BCBSM Schedule A - Renewal Term 2017

MOVED BY COMM. COONAN

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED        WITHDRAWN         
 AMENDED        CORRECTED        REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS,** The County's current Excess Insurance for Workers' Compensation expires 1/1/17 and County Administration wishes to continue this coverage for the period 1/1/17 through 1/1/19; and

**WHEREAS,** The annual quote for excess coverage for the period 1/1/17 through 1/1/19 is \$54,419 and funds are budgeted in the Self-Insurance Fund with no additional funds required; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the Policy with Midwest Employers Casualty Company for Excess Insurance for Workers' Compensation for the period January 1, 2017 through January 1, 2019 and authorizes the Chairman of the Board to execute the required Agreement with Midwest Employers Casualty Company on behalf of Bay County following legal review/ approval.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Personnel - Excess Workers' Compensation Policy**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS, Katherine Barcia, a part-time employee in the Division on Aging, has requested an unpaid leave of absence for up to 180 days; and**

**WHEREAS, In accordance with the USW Part-time Labor Agreement, requests for leave must be approved by the Department Head and the Board of Commissioners; and**

**WHEREAS, The Bay County Health Officer has approved Ms. Barcia's unpaid leave of absence; Therefore, Be It**

**RESOLVED That the Bay County Board of Commissioners approves the unpaid leave of absence for Katherine Barcia beginning November 14, 2016.**

**KIM COONAN, CHAIR  
AND COMMITTEE**

**Personnel - Unpaid Leave of Absence - Katherine Barcia**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/6/16)

WHEREAS, Bay County has 12 active bargaining units and negotiations with those units have been ongoing since August 2016; and

WHEREAS, As a result of the successful bargaining efforts by the County representatives and the union representatives, all 12 units have ratified their agreements in accordance with the template agreements reviewed in Board of Commissioners' closed session meetings dealing with labor negotiations; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners hereby approves the Collective Bargaining Agreements with the 12 active bargaining units and authorizes the Chairman of the Board to execute said 12 Collective Bargaining Agreements on behalf of Bay County following legal review/approval; Be It Further

RESOLVED That the Board of Commissioners offers their appreciation to the County representatives and the union representatives and membership for their cooperation throughout the bargaining process.

KIM COONAN, CHAIR  
AND COMMITTEE

Personnel - Ratification of Labor Agreements (12)

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**RESOLVED** That the Bay County Board of Commissioners hereby approves the claims against the County as follows:

**ACCOUNTS PAYABLE:**

11/02/16	\$	668,604.53
11/09/16	\$	236,325.65
11/17/16	\$	364,821.38
11/22/16	\$	314,619.50
11/30/16	\$	107,544.32
12/07/16	\$	216,387.68*

**BAYANET:**

10/01/16 - 10/31/16		
Payables	\$	73,264.02
Payroll	\$	9,937.34

**HOUSING (Center Ridge Arms):**

11/08/16	\$	43,954.06
11/11/16	\$	22,662.50

\* Received after W&M Committee meeting.

**KIM COONAN, CHAIR  
AND COMMITTEE**

Payables-December

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BY: WAYS AND MEANS COMMITTEE 12/06/2016

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 12/13/2016 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on behalf of Bay County:

Journal Request Number	Fund Involved Department Involved	Favorable Impact	Unfavorable Impact	No Impact
2016-12-003	GENERAL FUND COMMUNITY OUTREACH / MEDIA ADMINISTRATIVE SERVICES Total GENERAL FUND			X
	TO BUDGET FOR THE PURCHASE OF TWO HEAD SETS AND UNIFORMS FOR THE COMMUNITY OUTREACH/MEDIA BUDGET.			
2016-12-004	SELF-INSURANCE FUND-WC/UC/S&A SELF INSURANCE CLAIMS  INCREASE ADMINISTRATION AND LEGAL EXPENDITURES FOR WORKERS COMPENSATION CLAIMS UNDER THE SELF INSURANCE FUND.			
	GENERAL FUND BOARD OF COMMISSIONERS SHERIFF DEPARTMENT Total GENERAL FUND			
2016-12-005			\$260,000	
	BUDGET FOR BAD DEBT EXPENSES UNDER THE SHERIFF DEPARTMENT FOR THE INMATES HOUSING FEE REVENUES. THE BAD DEBT HAS NOT BEEN RECOGNIZED IN THE YEAR 2015 DUE TO NEW INMATE TRUST SOFTWARE INSTALLED IN APRIL 2016.			
	GENERAL FUND BOARD OF COMMISSIONERS ENVIRONMENTAL AFFAIRS Total GENERAL FUND			
2016-12-006			\$15,975	
	Total SELF-INSURANCE FUND-WC/UC/S&A			X
	TO BUDGET FOR ENVIRONMENTAL AFFAIRS OFFICE EQUIPMENT AND FURNITURE.			

Kim Coonan, Chairman W. & M. and Committee



MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS      NAYS      EXCUSED       
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
 AMENDED      CORRECTED      REFERRED

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (12/6/16)

WHEREAS, Bay County Golf Course Fund has been experiencing declining revenues causing a significant decrease in unrestricted net assets over the past six years. As a result of 2016 operations, it is projected that the Bay County Golf Course Fund will end the fiscal year in a deficit; and

WHEREAS, County Administration is requesting that the Board facilitate a short term transfer up to \$85,000, at a rate/fee as determined by the Bay County Treasurer, from Bay County General Fund to the Bay County Golf Course Fund to cover any potential deficits at fiscal year-end or cash flow purposes in early 2017. The short-term transfer will be budgeted and repaid to the Bay County General Fund at a later date; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the short-term transfer from Bay County General Fund for up to \$85,000 to the Bay County Golf Course Fund; Be It Further

RESOLVED That this transfer will be repaid in future year(s) to the Bay County General Fund at a rate/fee as determined by the Bay County Treasurer; Be It Finally

RESOLVED That any and all budget adjustments related and required are approved.

KIM COONAN, CHAIR  
AND COMMITTEE

Finance - Golf Course Cash Transfer

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: WAYS AND MEANS COMMITTEE (12/6/16)**

**WHEREAS,** Information Systems Division each year budgets for maintenance costs for hardware and software to support various departments in the County and many vendors request an updated signed agreement while others need a purchase order to pay for the maintenance in accordance with the Purchasing Policy. Backup material is required for a purchase order. Each vendor is listed on the backup material for ISD.; and

**WHEREAS,** Information Systems Division has budgeted approximately \$379,307 for the hardware and software maintenance for systems in the County.; and

**WHEREAS,** The following software and hardware vendors each submit invoices or maintenance requests annually: Time Clock Plus, iyeTek, FTR, Symantec, BS&A, VMWare, What's Up Gold, Survey Monkey, Telemate, Cherry Lan, ImageSoft Inc, Tyler Technologies, Inc, BMC Track-It, ESRI, West Law, In2Gro, Solutionary, Service Express, ASK, DELL, Cisco, Shred Experts, and Verizon.; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners authorizes the Chairman of the Board to execute 2017 yearly maintenance agreements for a vendor budgeted as an expense following legal review/approval.

**KIM COONAN, CHAIR  
AND COMMITTEE**

**ISD - 2017 Budgeted Maintenance Expenses**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED 7 DEFEATED 0 WITHDRAWN 0  
 AMENDED 0 CORRECTED 0 REFERRED 0

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

**BY:** WAYS AND MEANS COMMITTEE (12/6/16)

**WHEREAS,** MSU Extension has submitted its annual Agreement for Extension Services between Bay County and MSU Extension for delivery of MSU Extension programs. The Agreement for Extension Services specifies the full range of MSU Extension' statewide programs offered by our four programming Institutes and specifies the Bay County's share of the costs of maintaining the network of Extension Educators; and

**WHEREAS,** The County assessment is paid to MSU Extension through quarterly payments for the following purposes:

1. Operating costs (travel, communication, office expenses) for MSU Extension funded Educators
2. Coordination of the 4-H program in the County
3. Operating costs for 4-H in the County

**WHEREAS,** The base assessment for Bay County is \$68,519. Bay County will receive a \$60,701 credit towards this assessment due to the 4-H Program Coordination being a Bay County staff member where their salary, fringe and operating costs are paid by Bay County. The assessment of \$68,519 and the \$60,701 credit are reflected in the Annual Agreement leaving a balance of \$7,818; and

**WHEREAS,** In addition to the County assessment balance of \$7,818 as outlined above, the agreement also reflects the County's support of 40% of the Support Staff salary and fringe totaling (\$25,000) and 50% of the 4-H Tech Wizards Paraprofessional salary and fringe totaling (\$14,000); and

**WHEREAS,** The annual Agreement for Extension Services with the above considered is \$46,818; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners approves the annual Agreement for Extension Services between Bay County and MSU Extension and authorizes the Chairman of the Board to execute said Agreement and all related documents on behalf of Bay County following legal review/approval.

KIM COONAN, CHAIR  
AND COMMITTEE

**MSU - Agreement for Extension Services**

MOVED BY COMM. COONAN

SUPPORTED BY COMM. DURANCZYK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED     

-35-

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/15/16)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies/new positions, monies for said positions to come from the respective departmental budgets:

- I. Division on Aging
  - A. Lead Cook (full time, \$15.09/hr. entry)
  - B. Site Manager (part time, \$9.86/hr. entry)
- 2. Public Defender - Staff Attorney (full time, \$59,425 entry)
- 3. Housing Department - Maintenance II (full time, \$13.09/hr. entry)

RESOLVED That budget adjustments, if required, are approved; Be It Further

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated or hours reduced if grant funding is terminated or reduced.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

Vacancies - December

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:  
ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/15/16)

WHEREAS, Arthur Schupback has been an Independent Contractor, providing assistance to the public that address the concerns of Bay County military veterans and their families; and

WHEREAS, The agreement with Mr. Schupback provides for up to 20 hours per week totaling up to \$10,400.00 per year; the current agreement with Mr. Schupback expires on December 31, 2016; and

WHEREAS, The maximum per year compensation shall remain the same and has been included in the 2017 budget; and

WHEREAS, Based on the recommendation of the Bay County Veterans Council, it is requested that the agreement with Arthur Schupback as Veterans Services Officer be renewed for the period of one (1) year (January 1, 2017 through December 31, 2017); Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the Independent Contractor Agreement between Bay County and Arthur Schupback for the period January 1, 2017 through December 31, 2017; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute the renewal agreement on behalf of Bay County following legal review/approval.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

Administrative Services - Veterans Services Officer - Arthur Schupback

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

BAY COUNTY BOARD OF COMMISSIONERS

DECEMBER 13, 2016

RESOLUTION

BY: PERSONNEL/HUMAN SERVICES COMMITTEE (11/15/16)

WHEREAS, Great Lakes Bay Michigan Works! is requesting that Bay County approve the proposed 5-County Michigan Works! Interlocal Agreement, effective dates January 1, 2017 — December 31, 2021 (attached); and

WHEREAS, This proposed agreement was developed through working sessions attended by representatives from all 5 Counties and, to date, it has been approved by Gratiot, Isabella and Midland Counties; and

WHEREAS, Saginaw County consideration will also be given in November 2016; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the 5-County Great Lakes Bay Michigan Works! Interlocal Agreement and authorizes the Chairman of the Board to execute said Agreement on behalf of Bay County following legal review/approval.

MICHAEL E. LUTZ, CHAIR  
AND COMMITTEE

MI Works - 5 County Interlocal Agreement

MOVED BY COMM. LUTZ

SUPPORTED BY COMM. TILLEY

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED      WITHDRAWN       
AMENDED      CORRECTED      REFERRED

## Great Lakes Bay Michigan Works! Interlocal Agreement

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This Interlocal Agreement (hereinafter "Agreement") is entered into as of the First day of January, 2017, by the County of Bay, the County of Gratiot, the County of Isabella, the County of Midland, and the County of Saginaw pursuant to the Michigan Urban Cooperation Act, being Public Act 7 of 1967 (ex. sess.), as amended.

WHEREAS, the County of Bay, the County of Gratiot, the County of Isabella, the County of Midland, and the County of Saginaw (hereinafter referred to collectively as "the Counties") are each a "public agency" as defined by the Michigan Urban Cooperation Act, being Public Act 7 of 1967 (ex. sess.), as amended; and each may separately exercise the power, privilege, and authority they share in common and wish to exercise jointly with the other; and,

WHEREAS, the Counties desire to maintain an optimal level of community service and maximum efficiency in carrying out the requirements of the Workforce Innovation and Opportunity Act of 2014, 29 USC 3101 *et seq.*, and the Michigan Works One-Stop Service Center System Act, being Public Act 491 of 2006, MCL 408.111 *et seq.*; and

WHEREAS, the Counties have an industrial base and are contiguous in location; and

WHEREAS, the Boards of Commissioners of the Counties have determined that the best method of maintaining an optimal level of community service and maximum efficiency in each of the Counties is through this Agreement;

THEREFORE, the Counties agree to the following:

### I.

#### PURPOSE

A. Replacement of Existing Interlocal Agreement. This Agreement replaces and supersedes the Restatement of Interlocal Agreement dated the eighth day of April, 2014, as amended in 2015 and 2016, in its entirety.

B. Name. The Consortium of Counties created by this Agreement shall be called the Great Lakes Bay Michigan Works! Consortium (hereinafter referred to as the "Consortium").



C. Purpose. The Consortium shall administer state, federal, and other workforce programs as prescribed by law and the requirements established by each grant funding source, and perform such other functions as are necessary and related to same. The Consortium shall exercise the role of the local elected officials as prescribed by applicable law.

II.  
AUTHORITY

A. Certification. The Counties certify that federal, state, and local law permit the services to be provided under this Agreement, including, without limitation, the Workforce Innovation and Opportunity Act of 2014, being 29 USC §3101 *et seq.*, and the Michigan Works One-Stop Service Center System Act, being Public Act 491 of 2006, MCL 408.111 *et seq.*

B. Filing. This Agreement shall be filed with the county clerks of the Counties and with the Michigan Secretary of State.

III.  
SERVICE AREA

A. Service Area. The geographical boundaries of the Counties shall constitute the service delivery area under this Agreement.

IV.  
CONSORTIUM BOARD

A. Creation. As of the effective date of this Agreement, there is created the Great Lakes Bay Michigan Works! Consortium Board (hereinafter called the "Consortium Board").

B. Powers. The Consortium Board shall be vested with all of the powers authorized under applicable state and federal law and shall be operated in accordance with same. Said powers include:

- i. Maintaining and presenting adequate books, records, and reports of all audits, transactions, revenues, and expenditures in accordance with grant source requirements and with generally accepted accounting principles, or otherwise instructing the Director to do same. Such books and records are public documents subject to the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.
- ii. Conducting an independent, annual audit, or otherwise instructing the Director to do same, and receiving from the Director such audit reports and certifications that funds have been expended in accordance with approved budget and federal and state guidelines.

- iii. Presenting regular program reports regarding the effectiveness of the various workforce programs, or otherwise instructing the Director to do same. Such reports are public documents subject to the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.
- iv. Requesting and receiving from the Director regular reports concerning the status, both financial and operational, of all employment and training programs, and the contracts relating to same, in the service delivery area.
- v. Reviewing and approving the cost budget.
- vi. Interviewing and recommending the candidate nominated for appointment as Director to the Administrative Unit.
- vii. Procuring and maintaining appropriate comprehensive general liability insurance coverage.

C. Limitations on Powers. The Consortium and Consortium Board shall not have the power to:

- i. Sue or be sued in its own name.
- ii. Incur any debt, liability, or obligation that can be passed on to any party to this Agreement, other than as stated herein.
- iii. Levy any tax, issue any bond or note, or borrow money.
- iv. Employ staff.
- v. Operate on a for-profit basis.

D. Membership. The membership of the Consortium Board shall consist of members of the Boards of Commissioners of the Counties or their County Administrator. In the case of Bay County, one of its members may be its chief elected official, the Bay County Executive, or his or her appointee. Each County shall establish its own rules and procedures for appointing its members to the Consortium Board. Each County may remove its respective Consortium Board members (and alternates, if applicable) at will.

- i. The Consortium Board shall consist of 13 members: 5 members from Saginaw County, 3 members from Bay County, 2 members from Midland County, 2 members from Isabella County, and 1 member from Gratiot County.
- ii. A quorum of the Consortium Board shall consist of a majority of its members and will be required in order to conduct business.
- iii. The addition of another county to the Consortium Board shall require the affirmative vote of each of the Counties and a majority vote of the Consortium Board.
- iv. The County Board of Commissioners for each County shall determine whether its members of the Consortium Board shall serve with or without compensation.

E. Organization of Consortium Board: The Consortium Board shall:

- i. Elect its own Chairperson and Vice-Chairperson from among its members on an annual basis. Members shall be eligible to serve for additional terms, if elected.
- ii. Adopt by-laws that are consistent with this Agreement.
- iii. Hold at least one regularly scheduled meeting each quarter. The Consortium Board shall conduct all meetings in compliance with the Michigan Open Meetings Act, being Public Act 267 of 1976, as amended.

- iv. Documents and other records generated by the Consortium Board are public records subject to the requirements and exemptions of the Michigan Freedom of Information Act, being Public Act 442 of 1976, as amended.

F. Voting. An affirmative vote of a majority of the membership present shall be required in order to pass any motion or resolution. However, adoption or amendment of the Consortium Board's by-laws shall require the affirmative vote of nine (9) members of the Consortium Board.

G. Administrative Unit. The Consortium Board shall select from the Counties an Administrative Unit. The Administrative Unit shall have all of those powers vested in it by law including, but not limited to:

- i. Serving as fiscal agent and providing professional, technical, legal, and clerical staff support to the Consortium Board. All staff members shall be employees of the Administrative Unit and governed by the Administrative Unit's policies and applicable collective bargaining agreements.
- ii. Entering into contracts and other necessary agreements, upon legal review.
- iii. Signing, executing, and doing all things incident and necessary to properly submit grant applications.
- iv. Hiring and firing the Director upon the recommendation of the Consortium Board.

H. Director. The Director shall oversee day-to-day administration of the services provided by the Great Lakes Bay Michigan Works! Consortium. The Director shall be responsible for keeping and maintaining adequate books and records of all revenues, rates, charges, expenses, accounts receivable and payable, and other debts and obligations in accordance with the law and generally accepted accounting principles; and the Director shall establish such controls and procedures as are necessary to ensure strict financial accountability.

The personnel policies and procedures of the Administrative Unit shall be complied with in regard to the recruitment, advertisement, application, and hiring process for the Director position. Candidates for the Director position will be interviewed and nominated by a joint committee comprised of members of both the Consortium and Workforce Development Boards. Such nomination must be approved by both the Consortium Board and the Workforce Development Board for submission to the Administrative Unit.

The Director's performance will be reviewed on an annual basis by the Consortium Board. The Consortium Board may recommend the termination of the Director to the Administrative Unit with the affirmative vote of nine (9) members of the Consortium Board.

## V.

### WORKFORCE DEVELOPMENT BOARD

A. Establishment and Membership. The Consortium Board shall establish a local Workforce Development Board in accordance with the Workforce Innovation and Opportunity Act of 2014, 29 USC 3101 *et seq.*, and the administrative rules promulgated thereto. If the applicable rules governing the workforce

programs under this Agreement call for the elected official(s) to appoint members to the Workforce Development Board, the Consortium Board shall not make the appointments. In such cases, the appointments shall be made by the respective Boards of Commissioners of the Counties. Representation from the Counties on the Workforce Development Board shall be in approximate proportion to their respective populations.

B. Duties and Responsibilities. The Workforce Development Board, in partnership with the Consortium Board, shall provide the policy, program guidance, and independent oversight services for all activities of Great Lakes Bay Michigan Works!

C. Operation of Workforce Development Board. All aspects of governance of the Workforce Investment Board shall be in accordance with the Workforce Innovation and Opportunity Act of 2014, 29 USC 3101 *et seq.*, including, without limitation, the appointment of a chairperson, development of a budget, and identification and selection of providers.

## VI.

### FINANCIAL RESPONSIBILITY OF THE COUNTIES

A. Financial Support. The Consortium Board shall not require any County to provide any financial support for any activities under this Agreement unless that County agrees to provide that support in a separate agreement.

B. Liability, Generally. The Counties shall not be required to pay any debts, liabilities, or obligations of the Consortium Board or the Workforce Development Board.

C. Liability for Disallowed Costs. The Counties shall repay any disallowed costs only after the following payment hierarchy has been exhausted:

- i. Payment shall first be made by the service provider, agent, or third party that is responsible for the disallowance.
- ii. Payment will then be made from any applicable insurance carrier or bond insurer.
- iii. A waiver or approval of an offset from the grant funding source will then be pursued.
- iv. Any remaining required repayment will then be paid by the Counties. The responsibility for any disallowed costs shall be apportioned according to the services contracted for in each County.

D. Privileges and Immunity. Nothing in this Agreement shall be construed to affect the Counties' rights and privileges under governmental immunity. All of the privileges and immunities from liability and exemptions from laws, ordinances, and other rules, and all pension, relief, disability, worker's compensation, and other benefits which apply to the activity of the officers, agents, or employees of the Counties, shall apply to the same degree and extent to the performance of such functions and duties of the members of the Consortium Board and Workforce Development Board.

VII.  
DURATION OF AGREEMENT

A. Effective Date and Duration. This Agreement shall be effective commencing on the date first written above and shall remain in effect through December 31, 2021 .

B. Termination of Participation. Any County may withdraw from the Consortium Board and the obligations created by this Agreement upon service of 120-day written notice to the remaining Counties. The Agreement shall remain in effect for the remaining Counties as long as at least three (3) Counties remain as signatories to it. Upon termination of participation by at least three (3) Counties, this Agreement shall continue in effect until the final grant concludes.

VIII.  
MISCELLANEOUS

A. Amendment. Any amendments to this Agreement require the approval of the Board of Commissioners of each of the Counties.

B. Changes in Applicable Laws. In the event the laws and regulations pertaining to this Agreement, including, but not limited to, the Workforce Innovation and Opportunity Act of 2014, are amended or repealed, the Counties, in their individual discretion, may determine whether such changes render it infeasible or unadvisable to carry out this Agreement. In that event, the County may terminate this Agreement by submitting 30-day written notice to the other Counties. If this Agreement is not terminated due to the amendment or repeal of applicable laws or regulations, then this Agreement will continue under those new laws or regulations without the need to amend this Agreement to specifically name those new laws or regulations.

C. Severability. If any word, phrase, part or section of this Agreement is determined to be illegal or unenforceable, the other portions of the Agreement shall remain in full force and effect so long as those other portions are sufficient to constitute a valid agreement.

D. Full Agreement. This document, along with any attachments or appendices or other incorporations by reference, constitutes the entire agreement between the Counties. Accordingly, this Agreement supersedes all previous or contemporary agreements between the Counties covering the subject matter of this Agreement.

IN WITNESS WHEREOF, the undersigned have placed their hands and seals the day and year set below their signatures.

**COUNTY OF BAY**

By: \_\_\_\_\_  
Ernie Krygier, Chair, Board of Commissioners

Date: \_\_\_\_\_

COUNTERSIGNED:

By: \_\_\_\_\_  
Clerk of Bay County

**COUNTY OF ISABELLA**

By: \_\_\_\_\_  
George Green, Chair, Board of Commissioners

Date: \_\_\_\_\_

COUNTERSIGNED:

By: \_\_\_\_\_  
Clerk of Isabella County

**COUNTY OF SAGINAW**

By: \_\_\_\_\_  
Michael J. Hanley, Chair, Board of Commissioners

Date: \_\_\_\_\_

COUNTERSIGNED:

By: \_\_\_\_\_  
Clerk of Saginaw County

**COUNTY OF GRATIOT**

By: \_\_\_\_\_  
George Bailey, Chair, Board of Commissioners

Date: \_\_\_\_\_

COUNTERSIGNED:

By: \_\_\_\_\_  
Clerk of Gratiot County

**COUNTY OF MIDLAND**

By: \_\_\_\_\_  
Mark Bone, Chair, Board of Commissioners

Date: \_\_\_\_\_

COUNTERSIGNED:

By: \_\_\_\_\_  
Clerk of Midland County

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: BAY COUNTY BOARD OF COMMISSIONERS (12/13/16)**

**RESOLVED** By the Bay County Board of Commissioners that the following report is received:

- I. Employment Status Report - November 2016

**ERNIE KRYGIER, CHAIR  
AND BOARD**

**County Executive - Status Reports**

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY: BAY COUNTY BOARD OF COMMISSIONERS (12/13/16)**

**WHEREAS,** Richard Gromaski's term of membership to the Mid-State Health Network (MSHN) Substance Use Disorder (SUD) Regional Oversight Policy Advisory Board will expire on December 31, 2016; and

**WHEREAS,** Mr. Gromaski has served on MSHN's SUD Oversight Policy Advisory Board since its formation, and has been an active participant throughout his two-year membership. His experience and ongoing participation with Bay-Arenac Behavioral Health's Board of Directors, combined with extensive knowledge of Bay County's inner workings, lends significantly to the SUD Oversight Policy Board; and

**WHEREAS,** The Mid-State Health Network has respectfully requested thoughtful consideration of Mr. Richard Gromaski's reappointment to MSHN's SUD Oversight Policy Advisory Board, and official notice thereof on or before January 31, 2017; Therefore, Be It

**RESOLVED** That the Bay County Board of Commissioners hereby reappoints Richard Gromaski to the Mid-State Health Network (MSHN) Substance Use Disorder (SUD) Regional Oversight Policy Advisory Board to a three year term, said term expiring December 31, 2019.

**ERNIE KRYGIER, CHAIR  
AND BOARD**

**Richard Gromaski to MSHN-SUD Regional Oversight Policy Advisory Board**

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. HEREK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

**VOTE TOTALS:**

ROLL CALL: YEAS 7 NAYS 0 EXCUSED 0  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED        WITHDRAWN         
 AMENDED        CORRECTED        REFERRED



**BAY COUNTY BOARD OF COMMISSIONERS**

**DECEMBER 13, 2016**

**RESOLUTION**

**BY:** THE BAY COUNTY BOARD OF COMMISSIONERS (12/13/16)  
**WHEREAS,** The Bay County Executive has been notified that Sheila Dahm, Michigan Rehab Services, is retiring in the near future and has submitted her letter of resignation from the Workforce Development Board of Great Lakes Bay Michigan Works; and  
**WHEREAS,** Michigan Rehab Services has nominated Michigan Rehab Services District Manager Carrie Prosowski for appointment to the Workforce Development Board to replace Ms. Dahm; and  
**WHEREAS,** The Bay County Executive recommends that Carrie Prosowski be appointed to the remainder of Sheila Dahm's term (through 6/30/2017) and for a new two-year term of 7/1/17 – 6/30/19 and is seeking concurrence with his recommendation on this appointment; Therefore, Be It  
**RESOLVED** That the Bay County Board of Commissioners concurs with the County Executive's recommendation and appoints Carrie Prosowski, Michigan Rehab Services District Manager, to the Workforce Development Board of Great Lakes Bay Michigan Works for the remainder of Sheila Dahm's term through June 30, 2017 and for a new two-year term of July 1, 2017 through June 30, 2019.

**ERNIE KRYGIER, CHAIR  
AND BOARD**

**County Executive - WDB - Carrie Prosowski Appointment**

MOVED BY COMM. TILLEY

SUPPORTED BY COMM. LUTZ

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
MICHAEL J. DURANCZYK	X			KIM J. COONAN	X			MICHAEL E. LUTZ	X		
ERNIE KRYGIER	X			THOMAS M. HEREK	X						
VAUGHN J. BEGICK	X			DONALD J. TILLEY	X						

VOTE TOTALS:

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_  
 VOICE: X YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED X DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 124

MOVED TO APPROVE THE REGULAR AND SPECIAL BOARD  
SESSION MINUTES FROM THE NOVEMBER 1, 2016 AND  
NOVEMBER 15, 2016 BOARD MEETINGS AS PRESENTED.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 125

MOVED TO RECEIVE THE APPLICATIONS SUBMITTED FOR APPOINTMENT BAY-ARENAC BEHAVIORAL HEALTH BOARD. THREE CANDIDATES HAD APPLIED, JOHN T. ANDRUS, GEORGE ZANOTTI AND MARLENE KAY MEHLHOSE. THIS IS TO FILL A VACANT TERM ENDING MARCH 31, 2018.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

## BAY COUNTY BOARD OF COMMISSIONERS

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. LUTZ

MOTION NO.: 126

MOVED TO RECEIVE THE LETTER SUBMITTED BY SARA K. BRANDT ASSISTANT TO THE CEO OF BAY ARENAC BEHAVIORAL HEALTH AUTHORITY - (BABHA) CONFIRMING THREE (3) NOMINEES TO THE BOARD FOLLOWING HER REVIEW OF COMPLIANCE. THE APPLICATIONS OF JOHN T. ANDRUS, GEORGE ZANOTTI AND MARLENE KAY MEHLHOSE WERE REVIEW PURSUANT TO THE MENTAL HEALTH CODE, PUBLIC ACT 258 OF 1974, SECTION 222. APPLICANTS MET THE CRITERIA TO HOLD OFFICE FOR THE VACANT TERM ENDING MARCH 31, 2018.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. TILLEY

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 127

TO ACCEPT THE VOTE AND APPOINTMENT OF JOHN T. ANDRUS, TO THE BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY BOARD OF DIRECTORS. THE VOTE WAS AS FOLLOWS:

JOHN T. ANDRUS: COMM.'S DURANCZYK, KRYGIER, COONAN, TILLEY AND LUTZ.

GEORGE ZANOTTI: COMM. HEREK

MARLENE KAY MEHLHOSE: COMM. BEGICK

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: XX YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. HEREK

MOTION SUPPORTED BY: COMM. COONAN

MOTION NO.: 128

MOVED TO RECEIVE THE APPLICATIONS FOR APPOINTMENT/REAPPOINTMENT TO THE DIVISION ON AGING ADVISORY COMMITTEE REPRESENTING EACH COUNTY COMMISSION DISTRICT.

MEMBERS REPRESENTING THE FOLLOWING COMMISSION DISTRICTS:

- DISTRICT 2 - KATHLEEN SUTTER
- DISTRICT 4 - MICHAEL OLK
- DISTRICT 6 - GENA GATES
- AND AT-LARGE- ROBERT ANDERSON.

EACH WERE REAPPOINTED TO SERVE A TWO (2) YEAR TERM OF OFFICE.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 129

MOVED TO APPOINT CHAD LUTZ TO THE BAY COUNTY BUILDING AUTHORITY, FILING ONE UNEXPIRED 6 YEAR TERM. TERM EXPIRES 11/30/2019.

COMM. LUTZ ABSTAINED FROM THE OFFICIAL VOTE AS HE IS RELATED TO CHAD LUTZ.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz - Abstained from vote			
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 6 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 130

TO GO INTO CLOSED SESSION PURSUANT TO MCL 15.268 (e): TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR SETTLEMENT POSITION OF THE PUBLIC BODY. TO DISCUSS THE ISSUES OF CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: XX YEAS 7 NAYS 0 EXCUSED 0

VOICE: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
 AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_



**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. COONAN

MOTION SUPPORTED BY: COMM. TILLEY

MOTION NO.: 131

TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED  
SESSION DISCUSSIONS TO DISCUSS THE ISSUES OF  
CYNTHIA A. LUCZAK, BAY COUNTY CLERK VS. BAY COUNTY  
BOARD OF COMMISSIONERS, ET AL 2015-3583-AW.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_

**BAY COUNTY BOARD OF COMMISSIONERS**

MEETING DATE: DECEMBER 13, 2016

MOTION SPONSORED BY: COMM. DURANCZYK

MOTION SUPPORTED BY: COMM. HEREK

MOTION NO.: 132

TO ADJOURN THE REGULAR BOARD SESSION OF DECEMBER  
13, 2016. THE MEETING CONCLUDED AT 5:07 PM.

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael Duranczyk	X			Kim Coonan	X			Michael Lutz	X		
Ernie Krygier	X			Thomas Herek	X						
Vaughn J. Begick	X			Donald J. Tilley	X						

**VOTE TOTALS:**

ROLL CALL: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_ EXCUSED \_\_\_\_\_

VOICE: XX YEAS 7 NAYS 0 EXCUSED 0

DISPOSITION: ADOPTED XX DEFEATED \_\_\_\_\_ WITHDRAWN \_\_\_\_\_

AMENDED \_\_\_\_\_ CORRECTED \_\_\_\_\_ REFERRED \_\_\_\_\_